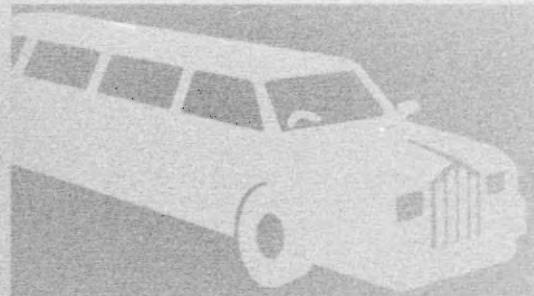


passenger
TRANSPORTATION BOARD

ANNUAL REPORT 2014/15

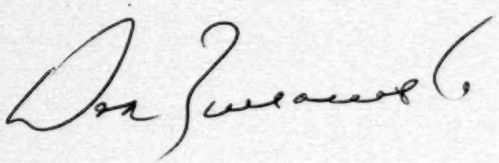
September 30, 2015

Honourable Todd Stone
Minister of Transportation & Infrastructure
Parliament Buildings
Victoria, British Columbia
V8V 1X4

Dear Minister Stone:

I am pleased to present the tenth Annual Report from the Passenger Transportation Board. The Report was prepared using the guidelines in the Memorandum of Understanding between the Passenger Transportation Board and the Ministry of Transportation and Infrastructure. The Report covers the period from April 1, 2014 to March 31, 2015.

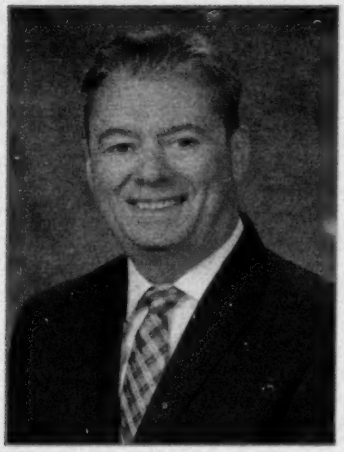
Yours sincerely,



Don Zurowski
Chair
Passenger Transportation Board

Contents

Message from the Chair	2
Overview	5
Regulatory Framework	7
PT Board Mandate and Activities	9
Highlights of Activities and Accomplishments in 2014/15	10
Application and Licensing Matters	18
Performance Measures 2014/15	22
Appendices	25



MESSAGE FROM THE CHAIR

I am pleased to present the tenth Annual Report of the Passenger Transportation Board (PT Board) for the year ended March 31, 2015.

The PT Board is an independent tribunal established under the *Passenger Transportation Act*. Board functions include: making decisions on applications for taxis, limousines, small vans, perimeter seating buses and inter-city buses; and hearing appeals on administrative penalties imposed by the Registrar of Passenger Transportation. The majority of the Board's work involves making decisions on applications.

Importantly, the PT Board is committed to continual improvement, giving thoughtful, progressive consideration to changing trends and public need in the sector that we regulate. We strive for efficiency and administrative fairness in all our processes.

We are a small, yet industrious team that normally operates with five part-time board members including myself, and are supported by four full-time staff.

This year, there were no changes in membership at the Passenger Transportation Board. In December 2014, Roger Leclerc was appointed for a further two-year term.

The Board had eight in-person meetings in 2014/15 and one meeting via conference call. Meetings focused on policy, projects and consideration of emerging issues, including regulatory changes affecting the industry. Independent of Board meetings, Board panels render decisions on applications. I generally assign files to a single Board member. When files are exceptionally complex or of broad public interest, I may assign the file to more than one Board member.

This report highlights some of our accomplishments, initiatives and results. In 2014/15, the Board processed 222 applications. Approximately 80% of these applications were decided based on information in the application file. The balance was decided after the Board sought more information from the applicant, submitters, Registrar or other persons.

Additionally in December 2014, the Board held a public hearing into an application for a luxury sedan, app-based transportation service in the GVRD. The proposed service would use 20 luxury sedans. Customers can book and pay for a trip via the app. Rates are based on time and distance rather than hourly. The decision, issued in April 2015,

demonstrates that the current regulatory regime can accommodate innovative technology and services and changes in public demand for services.

It has been another busy year at the PT Board. This is a result in part due to provincial regulatory changes. On February 26, 2015, the provincial government amended the definition of "passenger directed vehicle" to include vehicles with "primarily perimeter seating" regardless of seating capacity. The Minister of Transportation and Infrastructure directed these changes to provide additional scrutiny to licence holders operating perimeter seating vehicles, including operating conduct. It further serves to provide consistency amongst licence holders in the regulatory regime. This amendment brought stretch SUVs and limo buses, collectively referred to as perimeter seating buses, into the Special Authorization (SA) licence category that requires Board approval. The changes applied to new applicants immediately and to existing licensees on May 1, 2015.

The PT Board supported these changes to regulations. Licensees and stakeholders had consistently told the Board that there was an unfair playing field in operating areas and rates between holders with different authorizations. This change directly addressed these concerns and promoted rate and operational stability in the industry.

Nevertheless, the timelines presented some operational challenges for the PT Board, including planning, application processing and available resources. I am pleased that the PT Board met these challenges with the help of both industry and the Ministry. Industry made best efforts to submit applications in a timely manner. The Ministry recognized Board resource challenges and provided the support necessary to facilitate implementation of this initiative. This enabled me, as Board Chair, to appoint a temporary Board member for three months, to assist with decision making and for the Board to hire a temporary administrative person to help with application processing. We appreciate this support.

A key reason for the project's success was the excellent cooperation and teamwork between the staff of the PT Branch of the Ministry and PT Board, and between Board members and staff. Without this collegiality, the project would not have progressed as smoothly and efficiently as it did.

We also published a *Taxi Standards Project Report*, introduced a flat rate for limousines going from YVR to Whistler, revised our standard rules for taxis and updated our application materials. We published a set of guidelines or "principles and parameters" outlining the Board's approach to the use of smart phone apps by taxi and limousine operators. The Board

is not seeking to regulate apps used for dispatch purposes only. For taxis, apps cannot replace properly calibrated meters for calculation of rates. We expect further development of these policies in the future.

I look forward to another productive, progressive year with the Passenger Transportation Board. We are looking forward to the completion of the developmental work on the Taxi Standards Project, revisions to limousine rates in light of the addition of perimeter seating buses to our regulatory purview and the completion of a new Strategic Plan.

The Board values input from its stakeholders. We held two meetings of our Passenger Directed Vehicle Advisory Committee, as well as industry consultations regarding the taxi standards project. These meetings provide valuable insights to Board members and provide us with an opportunity to discuss new policies or projects.

The Board equally values and appreciates the input it receives from local governments and others with interest in a project or service. This adds perspective to the decision-making process.

On behalf of the Board members, I would like to acknowledge the staff of the Ministry of Transportation and Infrastructure, especially at the Passenger Transportation Branch, for their excellent cooperation. Although Board and Branch roles are different, cooperation is critical when fulfilling our mandates.

I will end by acknowledging the contributions of Board members and staff. I would like to thank Bill Bell for undertaking, and fulfilling competently, acting Chair responsibilities for six weeks due to my leave of absence for professional reasons. The enthusiasm, professionalism and dedication of our Board team ensures that the goals and objectives of the Board are accomplished.

Overview

The Passenger Transportation Board is an independent tribunal. It is established under the *Passenger Transportation Act*. The Board has two functions:

(a) making decisions on applications for taxis, limousines, small vans, perimeter seating buses and inter-city buses; and

(b) hearing appeals on administrative penalties imposed by the Registrar of Passenger Transportation.

Of these two functions, most of the Board's work involves making decisions on applications.

As an administrative tribunal, the Board must ensure that its decisions are fair, consistent and transparent. To achieve this, the Board develops policies and procedures to guide its application and decision-making processes. The Board publishes its *Rules of Practice and Procedure and Operational Policies*. The Board posts notice of applications and decisions on its website. Board members regularly discuss policies and emerging issues in the commercial passenger transportation industry. The Board maintains a comprehensive website that provides a variety of information to applicants, licensees and members of the public.

The Board has a three-year Strategic Plan to guide its policy development, operational projects and governance work. All Board members and staff contribute to the plan and strive to accomplish the yearly performance measures. The plan is reviewed annually to ensure that the Board's work is relevant and accountable.

In carrying out its responsibilities, the Board continually seeks innovative ways to increase efficiency, respond to change and streamline its processes.

The Board often seeks stakeholder perspectives on new initiatives and policies. The Board responds to local

government requests for information and occasionally provides presentations to them or community organizations.

The Board relies on the skills, expertise and quality of Board members and staff. Members are appointed by the Lieutenant Governor in Council (Cabinet), after a merit based process. Board staff are members of the public service of British Columbia.

Board members come from diverse backgrounds in business, commerce and government. They are commonly active in their communities and serve on various agencies or boards. Members and staff are committed to fostering a culture of professionalism, administrative fairness and good governance. They stay informed about emerging passenger transportation trends and policies. Members and staff undergo performance evaluations regularly and attend workshops, conferences or other professional development activities to increase their knowledge and skills.

Information on Board members, staff and budget is in Appendix 1.

BOARD MISSION

The mission of the Passenger Transportation Board is to make decisions pertaining to the commercial passenger transportation industry in a way that

- enables people throughout the province to access diverse, stable and competitive commercial passenger transportation, and
- promotes consistency and fairness in application decisions and enforcement measures

The Board will make its decisions in a timely, fair, consistent and open fashion, and will provide responsive and accurate information to applicants, licensees, submitters, agents, government representatives and members of the public.

BOARD VALUES

- ✓ Integrity – ethical, professional and honest conduct
- ✓ Fairness – just treatment and impartial decision-making
- ✓ Respect – treat all persons with courtesy and dignity
- ✓ Accountability – transparency in processes, policies and conduct
- ✓ Responsiveness – timely, effective actions and communications

Regulatory Framework

The Passenger Transportation Board is an administrative tribunal created under the *Passenger Transportation Act* (PTA).

Administration of the PTA is a joint responsibility of the Passenger Transportation Board and the Registrar/ Passenger Transportation Branch of the Ministry of Transportation and Infrastructure.

VEHICLES AND LICENCE AUTHORIZATIONS

The PTA sets out the framework for licensing commercial passenger vehicles. There are two types of licences: general authorization (GA) licences and special authorization (SA) licences.

The chart below shows the different licensing streams under the PTA.

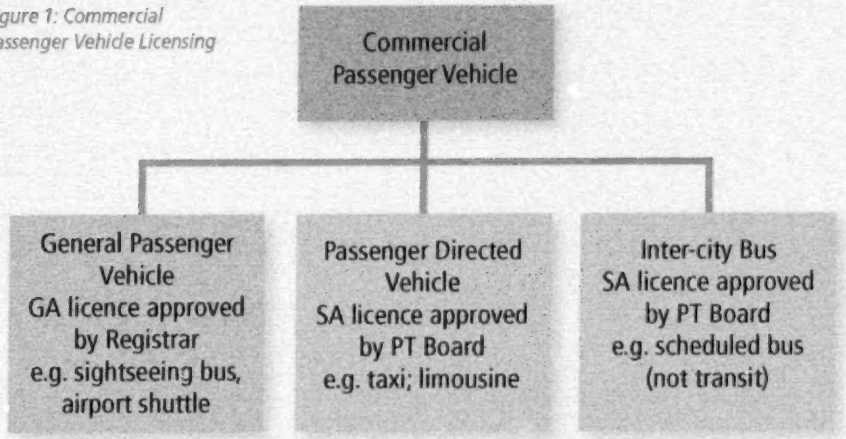
Special Authorization (SA) Licence Approvals

The Passenger Transportation (PT) Board makes decisions on applications for SA licences. There are two types of special authorizations: (a) passenger directed vehicles and (b) inter-city buses. Passenger directed vehicles include taxis, limousines, perimeter seating buses and small shuttle vans. Inter-city buses are private commercial carriers that operate between cities on a schedule and over regular routes.

The PT Board may approve applications for a Special Authorization licence if it considers[1]:

1. There is a public need for the service
2. The applicant is fit and proper and capable of providing the service

Figure 1: Commercial Passenger Vehicle Licensing


Commercial Passenger Vehicle
General Passenger Vehicle GA licence approved by Registrar e.g. sightseeing bus, airport shuttle
Passenger Directed Vehicle SA licence approved by PT Board e.g. taxi; limousine
Inter-city Bus SA licence approved by PT Board e.g. scheduled bus (not transit)

[1] For applications to transfer a licence, the Board considers applicant fitness only.

3. The application promotes sound economic conditions in the transportation business in B.C.

If an application is approved, the Board sets terms and conditions for a licence.

Examples of terms and conditions include:

- Passenger pick-up and drop off areas for taxis and limousines
- Maximum fleet size for taxis and limousines
- Routes and minimum route frequencies for inter-city buses

The Board also approves rates for passenger directed vehicles.

If the Board approves an application, the Registrar of Passenger Transportation issues a licence when safety requirements are met.

General Authorization (GA) Approvals

The Registrar of Passenger Transportation makes decisions on applications for GA licences. GA operators have greater operational freedom than SA operators. There is no public need or other economic regulation test for GA licenses – the focus of licensing is on safety. GA licensees may operate anywhere in the province with any number of vehicles and set their own rates. GA vehicles include large charter buses, sightseeing buses and airport shuttles.

ENFORCEMENT AND COMPLIANCE

The Registrar works with Commercial Vehicle and Safety Enforcement (CVSE) staff in the planning and delivery of enforcement and compliance actions for licensed and unlicensed carriers. Peace officers may also issue tickets for violations of the Act. The Registrar may impose administrative penalties on licensees.

The Board hears appeals of administrative penalties imposed by the Registrar.

Appendix 3 is a diagram of the licensing process for commercial passenger vehicles.

Appendix 4 defines the terms "inter-city bus" and "passenger directed vehicle."

PT Board Mandate and Activities

The Board has identified two activity clusters: core and complementary. Core activities centre on decision-making and other duties associated with fulfilling the Board's statutory mandate. Complementary activities, such as research and policy development, add value to the Board's core activities. Core work remains the Board priority. The Chart outlines core and complementary activities. These two activity clusters are inter-related.

Figure 2

BOARD MANDATE

Licensing Decisions

Appeals of Administrative Penalties

CORE ACTIVITIES

- Application Management
- Appeal Management
- Application Guides and Reference Sheets
- Rule Making, Operational Policy and Programs
- Stakeholder Engagement
- Strategic Planning
- Performance Measurement
- Annual Report
- Governance
- Bulletin

COMPLEMENTARY ACTIVITIES

- Research and Policy Development
- Major Projects
- Electronic Communications
- Outreach
- Board Development
- Program Evaluation and Development

Highlights of Activities and Accomplishments in 2014/15

PROJECTS COMPLETED

A. Taxi Standards Project Report

In April 2014, the Board published its *Taxi Standards Project Report*. This report is about how some taxi companies in BC collect, use and manage data as part of their taxi operation. It also discusses performance standards and reporting. The Report seeks to promote improvements in the data-usage practices of taxi companies in BC. These practices relate both to the use of data about taxi company operations and the use of data in setting standards and improving performance.

This report sets out actions the Board is undertaking to encourage best practices. It also includes specific recommendations for taxi companies and taxi associations. (See sidebar)

B. Mobile App: Principals and Parameters

In April 2014, the Board published its *Principles and Parameters for Mobile Apps in Taxis and Limousines with Special Authorization licences in British Columbia*. Mobile apps linking passengers to vehicles and drivers are an innovative trend in the commercial passenger vehicle industry. With a few 'taps' on a screen, a passenger can

Taxi Standards Report

I. Board Actions

A. Create Standard Definitions for Data Terms – for use by taxi companies and the Board for additional taxi applications.

B. Establish Standard System Attributes – for use by taxi companies to ensure that raw data collected is relevant to applications for additional taxis.

C. Applicant Attestation of Data Accuracy – the Board will update application requirements to have applicants attest that the data submitted is accurate.

D. Technical Meeting – the Board will host a meeting in Fall with technically-minded representatives of taxi companies in the province to further advance the Taxi Standards Project.

II. Board Recommendations to Industry

- Provide feedback to the Board on its spreadsheets.
- Review current data retention schedules.
- Collaborate on new reporting solutions.
- Track statistics for any new dispatch technologies.

obtain a vehicle and driver, and then track the progress of the vehicle. Apps appeal to smartphone users, connect customers and transportation services and enhance booking/dispatch for companies.

Ap[illegible]lso raise public policy concerns in a regulated environment. These concerns include public safety, unlicensed operators, service availability and rates.

The Passenger Transportation Board developed a set of guidelines or "principles and parameters" regarding its approach to apps. The Board is not seeking to regulate apps used by duly licensed taxi and limousine companies for dispatch purposes only. For taxis, apps cannot replace properly calibrated meters for calculation of rates. If an app in a limousine calculates rates, it must be programmed to calculate Board approved rates – apps cannot circumvent approved rates. All tips must be voluntary – an app cannot calculate a mandatory gratuity.

C. Special Authorization Lists

In August, the Board revised its online list of licensees with a Special Authorization. Licensees are listed by "category" and grouped by regional district. We have four categories - taxis, limousines, inter-city buses and shuttles. More detailed information about vehicles and vehicle types is included in the lists. These lists are compiled manually and will be updated at least annually.

D. Taxi Camera Review

The Board implemented a review of taxi camera equipment used by taxi companies in the Vancouver and Victoria areas, Prince George and Williams Lake.

This camera review sought to identify taxi cameras that companies can rely on to meet the three objectives of BC taxi camera programs: to deter attacks, assist police when attacks occur and protect privacy. In support of these goals, the review aimed to achieve these outcomes:

a. Meet or exceed existing standards for commercial-grade taxi cameras

b. Introduce measures that enable the use of 'always-working cameras' where faulty equipment is detected proactively and fixed quickly

c. Allow the approval of more taxi camera options in BC, although limits may be set for a geographical area

d. Document and manage the review process so the roles and responsibilities of all parties are well defined and coordinated

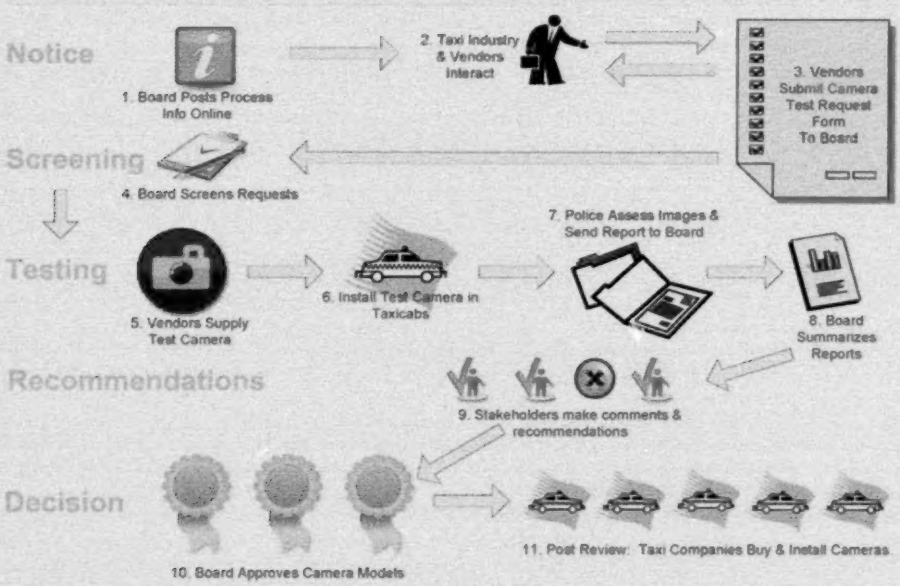
This was an intense review process that involved:

- Industry sponsorship of a camera for testing
- Screening vendor requests
- Field testing new camera models
- Evaluating camera models
- PT Board approval of camera models

The review process is outlined in the diagram below.

Three camera models were field tested. As a result of the testing and stakeholder recommendations, the Board approved two camera models at its meeting on March 31, 2015. The Board also set timelines for installing new models and/or camera heads. Taxi companies must have Board-approval to use a taxi camera. The Board increased the minimum time for saving images in the camera from four days to seven days. Licensees with cameras are responsible for training drivers, inspecting cameras annually, continually checking that cameras are working and making needed repairs within five days. The Board appreciated the cooperation of all stakeholders who took part in this review.

Taxi Camera Selection Process


Notice
1. Board Posts Process Info Online
2. Taxi Industry & Vendors Interact
3. Vendors Submit Camera Test Request Form To Board
Screening
4. Board Screens Requests
Testing
5. Vendors Supply Test Camera
6. Install Test Camera in Taxicabs
7. Police Assess Images & Send Report to Board
8. Board Summarizes Reports
Recommendations
9. Stakeholders make comments & recommendations
Decision
10. Board Approves Camera Models
11. Post Review: Taxi Companies Buy & Install Cameras

E. Taxi Rate Indexing

For a number of years, the Board based its taxi rate reviews on a Taxi Cost Index (TCI). An ongoing issue with the TCI was allocating a correct percentage of the index to labour or wages as well as obtaining accurate data on wages. After discussions and surveys of select taxi companies, the Board concluded that, at present, an accurate and reliable depiction of labour costs is difficult to obtain from taxi companies. The Board does not have resources to pursue taxi companies for the data. Until we can get reliable data, an indexed approach tied to a third party source, such as the Consumer Price Index (CPI), is better. On January 29, 2015, the Board decided to base taxi rates on the CPI, which is third party data readily available from the Federal government. This data is validated by professionals at Statistics Canada. The Board will also use this data to calculate increases for limousine rates. The new name of the index is the Taxi & Limousine Cost Index (TLCI)

2015 marked the transition from one data source to another. The Board used CPI data for 2014 (1%). For 2013, it blended CPI data and TCI calculations (0.8%). The total was less than the 2% threshold for implementing a rate increase. Thus, the 1.8% will carry over to the TLCI review in 2016 when CPI data for 2015 is added. No indexed rate increase was available for taxis in 2015.

F. Other Projects Completed

The Board completed a number of smaller projects in 2014/15. These included:

- Revisions to standard rules for taxis, including specifying taxi meter requirements and allowing companies to charge up to $75 in clean up fees.
- Updating the definition of "sedan limousine" to accommodate changes in vehicle design.
- Introducing a flat rate for limousines travelling between YVR and Whistler.

PROJECTS IN PROGRESS

Taxi Standards Project

Work continued, in collaboration with industry, on further refining the Taxi Standards Project. As noted earlier, the Board held a workshop with taxi industry representatives and also met with some associations individually. The Board is finalizing revisions to its draft data tools. These are expected to be complete in the Fall of 2015.

Introduction of PSBs into the Special Authorization Licensing Stream

On February 26, 2015, the provincial government amended the definition of "passenger directed vehicle" to include vehicles with "primarily perimeter seating" regardless of seating capacity. This amendment brought stretch SUVs and limo buses into the Special Authorization (SA) licence category.

The regulatory change applied to new applicants immediately and to existing licensees on May 1, 2015. The PT Board was required to make decisions on all perimeter seating bus (PSB) applications.

The planning period for the Board was from mid-December 2014 until mid-February 2015. There was very little information about the number of applicants the Board would receive or how many PSBs were in operation as this information was not tracked for licensees with a General Authorization (GA) licence. The Board was also unaware of rates charged by PSB operators.

The PSB project was implemented near the end of the fiscal year. At that time, the Board's budget was trending slightly above its allocations, especially in the area of Board member per diems, which vary depending upon the number of applications requiring decisions. Extra resources were necessary for the Board to maintain its regular application processing targets and meet PSB demand. The Ministry of Transportation and Infrastructure acknowledged this and recognized the budget implications.

The Board met the planning challenge. Planning activities undertaken by Board and staff were completed before the regulatory change was announced. By February 26, 2015, all application materials were "live" simultaneous with the Minister of Transportation and Infrastructure's press conference announcing the regulatory change.

Recognizing that PSB operators were legitimately licensed under a GA and that there were time implications for processing applications, the Board implemented a streamlined application process. Nevertheless, to approve an SA licence, the Board had to apply its mandate as set out in section 28 of the PTA, which

requires to Board to consider: public need; applicant fitness: and whether approval of an application would promote sound economic conditions in the industry. Within this backdrop, the Board adopted policies to ease the transition from the GA world to the SA world. By March 31, 2015, the Board had published 28 PSB applications.

STAKEHOLDER ENGAGEMENT

Industry Sessions and Meetings

Passenger Directed Vehicle Advisory Committee

The Passenger Directed Vehicle Advisory Committee, an initiative of the Board, promotes stakeholder engagement primarily on taxi matters. The committee met in June and December, 2014. It is made up of people from the taxi industry, public transit, municipalities, persons with disabilities, the Vancouver International Airport Authority, the Passenger Transportation Branch and Board.

The Board and Branch representatives shared information on current activities and projects and sought stakeholders' perspectives and comments on these and other matters.

Taxi Camera Review Consultations

In April 2014, the Board initiated a taxi camera equipment review, which included two in-person stakeholder sessions. Representatives at these sessions included three industry associations, the Passenger Transportation Branch, the Forensic Video Analysts' Association of BC, police, installers and local government.

The first meeting enabled the Board to gain insights into issues with current cameras and establish a system for field testing new cameras and camera evaluation processes. The second meeting, held in February 2015, was a collaborative review of field test results and identification of findings and recommendations to be reported to the Board.

Data Day Workshop

In October 2014, the Board hosted a data day workshop with taxi industry representatives from across the province. The workshop covered various topics including:

- Board data tools
- storage and reporting of long-term data
- use performance targets and standards
- standardizing definitions of key terms
- guidelines for core dispatch system attributes
- establishing guidelines for optional system attributes.

After the workshops, individual associations undertook further work and reported their findings to the Board.

Community Outreach

At the request of the City of Coquitlam's Universal Access-Ability Committee, the Director to the Board made a presentation about accessible taxi services in Coquitlam and the Taxi Bill of Rights. This meeting was accomplished via video conference.

COMMUNICATIONS

Industry Advisories

In 2014/15, the Board issued 14 Industry Advisories or Updates on a variety of topics, including rates, policies and operational matters.

Weekly Bulletin

The Weekly Bulletin contains summaries of applications, hearing notices and final decisions of the Board. It was published every week except Wednesday, December 31, 2014.

Website

The Board maintains a comprehensive website that provides information on such things as: applying for a licence; legislation, rules and policies; limousine and taxi rates and Board projects. In 2014/15, the Board introduced a new webpage dedicated to the streamlined process for Perimeter Seating Bus applications. This webpage will be available until August 28, 2015, when the streamlined process expires. Throughout the year, the website was updated periodically. A page devoted to licensing questions was added, statistics on wheelchair accessible taxis were updated and the Taxi Standards Project Report and a presentation from the data day workshop were added to the Taxi Standards Project webpage.

GOVERNANCE AND OPERATIONS

Decision Writing Manual

In June 2014, the Board finalized a decision writing manual for use by current Board members as well as future members.

Strategic Planning Session

In November 2014, the Board held an in-house strategic planning session to review our progress over the year and identify shifting priorities and trends.

LOOKING AHEAD TO 2015/16

As always, processing applications and decision making will remain a priority of the Board in 2015/16.

A number of projects are on the horizon for 2015/16, including:

- Completing the transition of licensing for PSBs.
- Surveying BC limousine companies about limousine rate issues, including:
  - Expanding minimum/maximum rates throughout the Province,
  - Flat rates on the Sea-to-Sky highway, and
  - Package rates.
- Introducing a new three year strategic plan.
- Reviewing fully and revising as necessary rules and operational policies.
- Completing revisions to the data tools (spreadsheets) to assist taxi companies making additional vehicle applications.
- Applying CPI to limousine rate increases.
- Keeping informed on trends in the commercial passenger transportation industry, such as commercial ridesharing and mobile apps.

Application and Licensing Matters

GENERAL INFORMATION

The *Passenger Transportation Act* sets out two types of licence authorizations: Special Authorizations (SA); and General Authorizations (GAs).

Operators must have an SA licence to operate passenger directed vehicles or inter-city buses. The Passenger Transportation Board makes decisions on applications that relate to SA licences. These include:

- applications for new, transfers or amended licences for all SA vehicles, and
- additional vehicle and rate or rule change applications for passenger directed vehicles.

The Board may approve applications for temporary operating permits (TOPs). These allow taxis and limousines and other passenger directed vehicle operators to increase their fleet size on a short-term basis. Also, the Registrar may ask the Board to make a determination on whether a particular application is for a special authorization rather than a general authorization.

Board decisions are published in the Board's *Weekly Bulletin* and posted at the Board's website www.ptboard.bc.ca

Two areas where the Board may be involved with a licensee after a decision has been made are: fleet size reviews and fitness reviews. The Board may decrease the fleet size of a licensee if it has consistently failed to operate its maximum number of vehicles. Fleet size reviews only apply to licensees operating passenger directed vehicles.

The Board may conduct a review at any time to determine if a licensee remains fit and proper and capable of providing a commercial passenger transportation service.

APPLICATION MATTERS

In 2014/15, the Board received 222 applications. This is an increase from 2013/14. In this reporting period, 214 applications were decided, three dismissed summarily and five were withdrawn. No applications remained undecided.

Total Applications Received for Five Fiscal Years

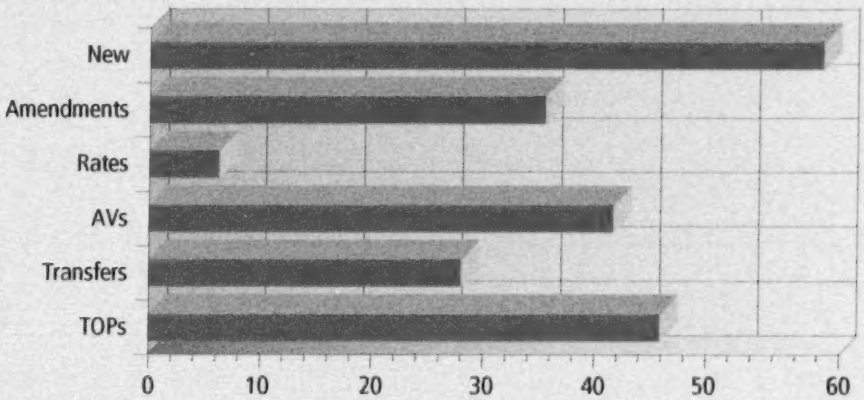
2014/15	222*
2013/14	156
2012/13	219
2011/12	148
2010/11	111

* This includes 28 applications for perimeter seating buses resulting from a regulatory change.

In the charts below, application types are denoted as follows:

New	Application for a new SA licence
AM	Application to amend an existing licence
AV	Application to add more vehicles to a fleet of passenger directed vehicles
Transfer	Application to transfer a licence
RC	Application to change rates for a passenger directed vehicle service
TOP	Application for Temporary Operating Permits
SA Rq	Application sent by the Registrar for the Board to determine if an SA licence is required for the service the applicant proposes

Number of Applications by Type 2014-15



Number of Applications by Type Total: 209[2]

[2] These statistics do not include five applications from the Registrar asking the Board to determine if a Special Authorization licence was required, three applications that were summarily dismissed by the Board and five that were withdrawn.

Decided Applications (Apps) by Regional District 2013/14 and 2014/15
(excludes Temporary Operating Permits)

Regional District	# of Decided Apps 2013/14	# of Decided Apps 2014/15	Regional District	# of Decided Apps 2013/14	# of Decided Apps 2014/15
Alberni-Clayoquot	2	3	Kootenay-Boundary	0	1
Bulkley-Nechako	0	3	Metro Vancouver	47	113
Capital Regional District	6	18	Mt. Waddington	0	2
Cariboo Regional District	1	2	Nanaimo	6	5
Central Coast	0	0	North Okanagan	1	1
Central Kootenay	0	1	Northern Rockies	0	1
Central Okanagan	11	7	Okanagan-Similkameen	4	10
Columbia Shuswap	3	1	Peace River	3	3
Comox Valley	1	3	Powell River	0	0
Cowichan Valley	0	0	Skeena-Queen Charlotte	1	2
East Kootenay	0	2	Squamish-Lillooet	3	8
Fraser Valley	4	5	Strathcona	2	0
Fraser-Fort George	2	14	Sunshine Coast	0	0
Islands Trust	0	4	Thompson-Nicola	0	4
Kitimat-Stikine	1	6	Multi Regional or Extra Provincial	2	2

POST DECISION MATTERS

	Totals
Appeals of Judicial Review Decision Concluded	1
Judicial Reviews Concluded	1
Licence Decisions Amended	1
Reconsiderations	7
• Reconsiderations Proceeded and Decided	0
• Reconsiderations Not Proceeded – Grounds Not Established	3
• Reconsideration Requests Pending	4

One decision was amended to correct clerical or technical errors. Three requests for reconsideration were refused because grounds were not established. Reconsideration of four decisions is pending.

On August 20, 2014, the B.C. Court of Appeal dismissed an appeal by four Vancouver Taxi companies of a BC Supreme Court decision that upheld a 2012 Board decision to allow 38 taxis from seven suburban companies to operate in downtown Vancouver on Friday and Saturday evenings. The Court of Appeal found that the judicial review of the Board's original decision was available notwithstanding that the Board had denied leave on a reconsideration application. The Board was entitled to use the expert evidence as it did, and its findings were supported by evidence. The studies tendered by the appellants did not meet the requirements for reception of fresh evidence. The advancing of the new argument on appeal was not prejudicial to the respondents, but was without merit.

On March 10, 2015, the BC Supreme Court dismissed an application for judicial review of a Board decision to approve Temporary Operating Permits for suburban taxicab companies to operate in downtown Vancouver on Friday and Saturday evenings.

Performance Measures 2014/15

The Board has two sets of performance targets: "low" and "high." The low target represents the most efficient processing times, with no delays by applicants, submitters or the Board. The high target factors in delays that may occur in the application process.

The Board reviews performance results at each Board meeting. The Board strives to improve its performance and timelines.

Reporting Constraints – Board database reports are based on the date an application is received. If a report is compiled for a particular time period, it will provide performance results only for applications that were received during this period and decided or closed at the time the database report is compiled or accessed.

Reporting Timelines -- These are the total number of days that an application was in process with the Board. This includes times when the application is inactive pending publication or receipt of further information. Most applications have a 15-day publication period. If submissions are received, applicants have 10 days to reply. With public hearings, the reported timelines include adjournments and continuations.

Performance Targets

PROCESS AND TRACK	LOW TARGET	HIGH TARGET
Application Files	# Days	# Days
File Review	89 or less	90 – 156
Board Investigation	113 or less	114 – 192
Registrar	117 or less	118 – 205
Registrar Investigation and Hearing	197 or less	198 – 331
Hearing	178 or less	179 – 293
Urgent Public Need (UPN[6])	37 or less	38 – 75
Temporary Operating Permits (TOPs)	15 or less	16 – 30

Application Processing Times in Relation to Performance Targets 2014/15[3]

-	# Board Decisions	Average # of days to a decision[4]	% within low target	% within high target	% over high target
Processing					
File Review[5]	136	45	**90**	**10**	–
Board Investigation (BI)	33	88	**70**	**30**	–
Urgent Public Need UPN[6]	3	10	**100**		–
Temporary Operating Permits (TOPs)	45	15	73	11	16

The Board seeks to process at least 75 % of all applications within the low target timeframe. The Board achieved this in two out of four categories.

The Board held a four-day public hearing in December 2014. This hearing related to an application that was received in 2013/14. However, the public hearing, originally set for June 2014, was delayed until December 2014 at the applicant's request. The decision will be issued in April 2015.

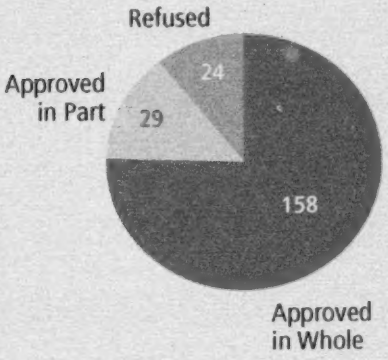
[3] These results were based on applications received between April 1, 2014 and March 31, 2015 and closed by August 11, 2014 when the data was compiled.

[4] These timelines are from when an application is received at the Board office until a decision letter is sent to an applicant, and may include periods when processing times are not in the Board's control; for example an applicant has asked for an extension to reply to submissions.

[5] These results may be slightly overstated as the Board set shorter processing times for streamlined Perimeter Seating Bus applications.

[6] A "UPN" is an application that the Board determines should be processed on the basis of "urgent public need". These applications are not published and submissions are not solicited. Most "UPN's" are processed on the basis of a file review.

Board Decisions by Outcome



APPEALS

The Board hears appeals from licensees who have received an administrative penalty from the Registrar of Passenger Transportation. The Board received three appeals in 2014/15. The Board confirmed the decision of the Registrar on the three appeals.

Appendix 1: Board Members, Staff and Budget

BOARD MEMBERS

Board members make decisions on applications and appeals.

The Board is appointed by Cabinet. The *Passenger Transportation Act* says that there must be at least three Board members. One member must be designated as Chair.

Appointment processes and terms are governed by the *Administrative Tribunals Act*. Under this Act, the Chair may, after consultation with the Minister, appoint an individual to be a Board member for a term of up to six months. On March 2, 2015, the Chair appointed Dennis Day to the Board to assist with implementation of the PSB project. This appointment was effective to May 30, 2015.

Bill Bell served as acting chair from October 11, 2014 until November 23, 2015, during Don Zurowski's leave of absence for professional reasons.

Roger Leclerc was re-appointed to the Board for a two-year term.

The Board had nine meetings in 2014/15. Eight were in-person meetings and one was a conference call. At least two meetings were related to the regulatory change that brought perimeter seating buses into the Board's jurisdiction.

2013/14 Board Members

Member	Appointed by	Initial Appointment Effective	Term Expiry Date
Don Zurowski Chair	Cabinet	January 1, 2010 (member) September 1, 2011 (Chair)	September 30, 2016
William (Bill) Bell	Cabinet	February 2, 2008	December 31, 2015
Brenda Brown	Cabinet	December 31, 2008	December 31, 2015
Roger Leclerc	Cabinet	November 8, 2012	December 31, 2016
Spencer Mikituk	Cabinet	March 29, 2012	March 29, 2016
Dennis Day	Chair	March 2, 2015	March 30, 2015

Board Staff

The Board is supported by a staff of four full-time employees who work out of the Board office in Victoria. Staff handle the administrative functions of the Board, undertake policy initiatives and respond to inquiries from applicants and the public. In March 2015, the Board hired an auxiliary staff person to assist with the PSB project. Staff are:

Jan Broocke,
Director to the Board

Michael McGee,
Manager, Policy and Communications

David Watling,
Appeals and Operations Coordinator

Kathy Mitten,
Administrative and Research Coordinator

Garrett Greenwood,
PSB Coordinator

Board Contact Information

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Passenger Transportation Board Budget

2014/15		
Budget Category	**Allocation ($)**	**Expenditure ($)**
Salaries	262,000	258,493
Benefits	65,000	65,651
Board Per Diems and Travel	140,000	147,921
Staff Travel	11,000	7,125
Professional Services – Operational	1,000	–
Information Systems – Operating	7,000	6,686
Office and Business Expenses	4,000	8,284
Stat. Advertising and Publications	–	–
Amortization	1,000	–
Other Expenditures	–	–
Recoveries – Within Government	(1,000)	–
Recoveries – External, Misc.	(1,000)	–
Total	**489,000**	**493,160**

The budget overage was attributable to work that the Board undertook to accommodate the amendment to the definition of "passenger directed vehicle" that brought stretch SUVs and limousine buses into Special Authorization licensing stream. This was discussed with the Ministry of Transportation and Infrastructure in advance.

Appendix 2: Board Goals and Objectives

GOAL A

Policies contribute to a commercial, small passenger vehicle and inter-city bus industry that:

- serves the public
- is run by capable licensees
- is economically sustainable

OBJECTIVES	Board policies facilitate: 1. a dynamic, innovative and healthy industry; 2. licensing of responsible, competent and accountable persons or companies; 3. diversity of service option; and 4. responsiveness to market conditions and relevant legislation.
STRATEGIES	Guide policy development by: 1. Initiating contact with licensees and other stakeholders on priority and emerging issues in the commercial passenger transportation industry. 2. Identifying social trends and developments relative to commercial passenger transportation. 3. Assessing relevant legislation and policies. 4. Monitoring or linking to other strategic planning processes involved with transportation in BC.

GOAL B

Board processes are clear and relevant

OBJECTIVES	Processes are efficient, effective and administratively fair.
STRATEGIES	1. Evaluate Board application processes from an internal and an external perspective. 2. Modify application processes to improve timelines, public access to materials and increase efficiency.

GOAL C

Board facilitates, and participates in, communications with stakeholders.

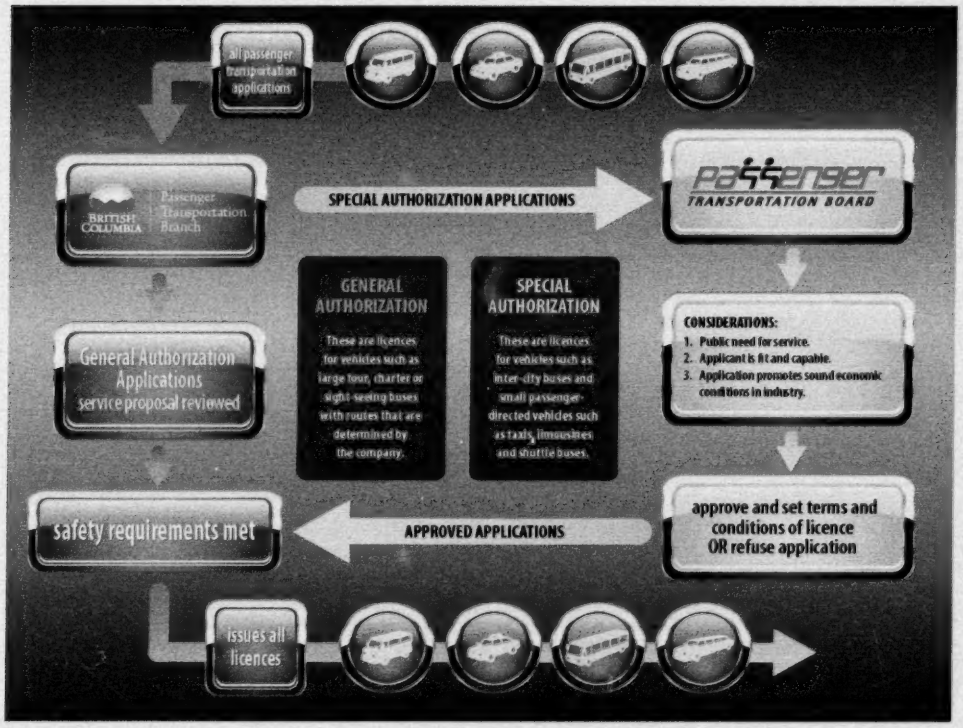
OBJECTIVES	Board communications are effective and meaningful.
STRATEGIES	1. Enhance accessibility of information by: (a) Organizing and presenting online information so it is user centered, related materials are centralized in a single place, and stakeholders can find, understand and use what is important. (b) Making information available to stakeholders and the interested public on the PT Board mandate. (c) Using technology to communicate more proactively with stakeholders. 2. Maintain openness to stakeholder input on Board initiatives and policy changes by (a) Considering stakeholder perspectives when changing Board policy. (b) Monitoring multiple communications channels to stay current with stakeholder issues and concerns. 3. Maintain a productive working relationship with the Passenger Transportation Branch.

GOAL D

Board governance that leads to organizational excellence

OBJECTIVES	The Board: (a) fosters a culture of professionalism and fairness; (b) evaluates its performance; (c) seeks continual improvement; and (d) is accountable to government and the public.
STRATEGIES	1. Board members and staff adhere to principles of administrative justice and strive for consistency in all processes. 2. Board members and staff have access to ongoing training and learning opportunities in administrative justice and other subjects that are needed to fulfill Board operational and governance responsibilities. 3. The Board evaluates its performance against targets. 4. Board fulfills its obligations as per the MOU between the Chair and the Minister. 5. Budget is managed in accordance with government legislation and policies.

Appendix 3: Diagram of Commercial Passenger Vehicle Licensing Process


all passenger transportation applications
BRITISH COLUMBIA Passenger Transportation Branch
SPECIAL AUTHORIZATION APPLICATIONS
passenger TRANSPORTATION BOARD
GENERAL AUTHORIZATION
These are licences for vehicles such as large tour, charter or sight-seeing buses with routes that are determined by the company.
SPECIAL AUTHORIZATION
These are licences for vehicles such as inter-city buses and small passenger-directed vehicles such as taxis, limousines and shuttle buses.
CONSIDERATIONS:
1. Public need for service.
2. Applicant is fit and capable.
3. Application promotes sound economic conditions in industry.
General Authorization Applications service proposal reviewed
safety requirements met
APPROVED APPLICATIONS
approve and set terms and conditions of licence OR refuse application
issues all licences

Appendix 4: Definitions of Vehicles Requiring a Special Authorization

INTER-CITY BUSES (ICBS)

- Operate on set time schedules between municipalities (other than those in the GVRD or CRD)
- For individual fares
- Over a regular route
- Between fixed terminating points, picking up and dropping off passengers at intermediate points, as necessary

A common example is a private bus service operated on a schedule between two or more cities. Inter-city buses are not public transit buses.

PASSENGER DIRECTED VEHICLES (PDVS)

- Carry a driver and not more than 11 passengers or have passenger seats that are primarily located along the sides or at the rear of the vehicle
- Operate to and from locations determined by the passengers
- Is a commercial passenger vehicle with perimeter seating, regardless of how many passengers the commercial passenger vehicle can accommodate

Common examples of PDVs include taxis, limousines, including stretch SUVs and limo buses, and shuttle vans.

passenger
TRANSPORTATION BOARD

Annual Report
2014/15